

REMARKS

Claims 1-14 are pending. Claims 13 and 14 are newly presented. Claims 1 and 7 have been amended. Reconsideration and allowance of the present application based on the following remarks are respectfully requested.

Claim Rejections Under 35 U.S.C. § 103

Claims 1-12 were rejected under 35 U.S.C. § 103(a) over Applicants' Admitted Prior Art (AAPA) in view of Fu et al. (U.S. Publication No. 2001/0024066). Applicants respectfully traverse this rejection.

Claim 1 recites, in part, a method of setting a communication environment between a mobile terminal and a smart card using a layered architecture of a protocol stack, which includes if the optimum communication environment is established, sending a command for requesting to open a logical channel, which is to be used in the application, to the smart card; opening the logical channel in response to the command for requesting to open the logical channel received from the mobile terminal, and sending a signal responding to the command to the mobile terminal; and opening the logical channel to be used in the application to secure a communication channel between the smart card and the mobile terminal; wherein if the optimum communication environment is not established, the mobile terminal sends a protocol/parameter selecting request to the smart card and the smart card responds if the protocol and parameter are supported otherwise, the smart card enters a standby mode to receive a reset command.

In contrast, AAPA discloses that the mobile terminal 20 sends a protocol/parameter selecting request after receiving the ATR signal regardless of what the ATR signal contains. AAPA does not provide for any alternative. However, in claim 1, the protocol/parameter selecting request is only sent if the optimum communication environment is not established, but when the optimum communication environment is established, claim 1 indicates that a command for requesting to open a logical channel is sent. Therefore, in claim 1, the protocol/parameter selecting request can be bypassed in situation since the mobile terminal is configured to analyze the received answer to reset signal, but AAPA does not provide any such functionality. See, Figure 1 and pages 2 and 3 of AAPA.

Additionally, AAPA does not teach or suggest opening the logical channel to be used in the application to secure a communication channel between the smart card and the mobile terminal, as recited in claim 1. Specifically, AAPA teaches that a separate application selecting

request is sent to smart card after a logical channel is opened between the smart card and the mobile terminal. Therefore, the opening of the logical channel in AAPA does not secure a communication channel between the smart card and mobile terminal, as recited in claim 1.

Furthermore, Fu does not remedy at least these deficiencies of AAPA since Fu does not teach or suggest at least the above described features of claim 1. Accordingly, no combination of AAPA and Fu teach or suggest, a method of setting a communication environment between a mobile terminal and a smart card using a layered architecture of a protocol stack, which includes if the optimum communication environment is established, sending a command for requesting to open a logical channel, which is to be used in the application, to the smart card; opening the logical channel in response to the command for requesting to open the logical channel received from the mobile terminal, and sending a signal responding to the command to the mobile terminal; and opening the logical channel to be used in the application to secure a communication channel between the smart card and the mobile terminal; wherein if the optimum communication environment is not established, the mobile terminal sends a protocol/parameter selecting request to the smart card and the smart card responds if the protocol and parameter are supported otherwise, the smart card enters a standby mode to receive a reset command, as recited in claim 1.

Claim 7 is believed allowable for at least the same reasons presented above since claim 7 also recites the features of claim 1 discussed above.

Claims 2-6 and 8-12 are believed to be allowable for at least the reasons presented above with respect to claims 1 and 7 by virtue of their dependence upon claims 1 and 7. Specifically, for example, claims 6 and 12, each recite that transmission layer and the application layer are independently embodied to each other, so that one application is supported by a plurality of communication protocols and one communication protocol supports a plurality of applications. Although the Examiner alleges that Fu discloses such a feature in paragraphs [0070] and [0095], Applicants respectfully submit that there is no such teaching in either paragraph of Fu. Furthermore, Applicants respectfully submit that there is no teaching in any other part of Fu that even remotely suggests a plurality of applications and a plurality of communication protocols that support each other.

Accordingly, Applicants respectfully request reconsideration and withdrawal of this rejection.

New Claims

Claims 13 and 14 are newly presented, fully supported by the originally filed specification and believed allowable over the prior art of records for at least the reasons presented above with respect to claims 1 and 6 since claims 13 and 14 include features similar to the features of claims 1 and 6 discussed above.


Conclusion

Therefore, all objections and rejections having been addressed, it is respectfully submitted that the present application is in a condition for allowance and a Notice to that effect is earnestly solicited.

Should any issues remain unresolved, the Examiner is encouraged to contact the undersigned attorney for Applicants at the telephone number indicated below in order to expeditiously resolve any remaining issues.

Respectfully submitted,

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